

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA, *ex rel.*,
GREGORY LYNN and PAULETTE HAMILTON,

Plaintiffs,

v.

Case No. 17-14168

CITY OF DETROIT,

Defendant.

ORDER DIRECTING SUPPLEMENTAL FILING

Plaintiffs/Relators Gregory Lynn and Paulette Hamilton have filed a “Motion for Leave to File Third Amended Complaint” (ECF No. 81.) The current operative pleading, the “Second Amended Complaint”,¹ is 66 pages long and contains 269 allegations, not including the “Conclusion.” (ECF No. 63). It is not text-searchable² and accompanied by haphazardly filed exhibits. (See ECF Nos.63-65.) Plaintiffs now seeks to file a “Third Amended Qui Tam Complaint” that is over quadruple in length (278 pages long) and contains almost five times the amount of allegations (there are 1222 allegations, not including the “Overall Damages Claim and Conclusion”). (ECF No. 81-1.) Nonetheless, Plaintiffs maintain that the allegations in the proposed Third Amended Complaint are

¹ The court had granted Plaintiff’s leave to amend the Complaint only once (ECF No. 49), but according to Defendant, the “Second Amended Complaint” is “essentially the same as [Plaintiffs’] First Amended Complaint.” (ECF No. 82, PageID.3490.)

² The court’s Electronic Filing Policies and Procedures provide that “PDF papers must be . . . submitted in a text-searchable format to the extent possible.” E.D. Mich. Electronic Filing Policies and Procedure R1(l) (Sept. 2022); *see id.* R5(c).

“more of the same” and “not different” from those in the current pleading. (ECF No. 83, PageID.3529-30; see ECF No. 81, PageID.3202).

It is virtually impossible for the court to assess Plaintiffs’ assertions. They have submitted no redlined (track changes) version of the proposed pleading, despite having been requested to do so by the court’s chambers. Because of how the Second Amended Complaint was filed, the court is also unable to generate its own comparison version. Given the length of the filings and the number of the allegations at issue, the court is not inclined to expend judicial resource to manually compare the documents to determine how the proposed Third Amended Complaint is different from the currently operative pleading. Accordingly,

IT IS ORDERED that within seven (7) days of this Order (April 19, 2023), Plaintiffs shall file, as a supplement to their “Motion for Leave to File Third Amended Complaint” (ECF No. 81), a redlined (track changes) version of the proposed pleading. Failure to comply with this Order may result in the denial of Plaintiffs’ Motion.

s/Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: April 12, 2023

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, April 12, 2023, by electronic and/or ordinary mail.

s/Lisa Wagner /
Case Manager and Deputy Clerk
(810) 292-6522

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